

State of Washington
Application for a Water Right

Please follow the attached instructions to avoid unnecessary delays.

For Ecology Use

Fee Paid 10.00

Date 5-12-98

Section 1. APPLICANT - PERSON, ORGANIZATION, OR WATER SYSTEM

Name John P Shea Jr Home Tel: (360) 856-1078
Mailing Address 4520 Prairie Ln Work Tel: (360) 856-1078
City Sedro-wadley State wa Zip +4 98284 + FAX: () -

Section 2. CONTACT - PERSON TO CALL ABOUT THE APPLICATION

☒ Same as above

Name _____ Home Tel: () - _____
Mailing Address _____ Work Tel: () - _____
City _____ State _____ Zip +4 _____ + FAX: () - _____
Relationship to applicant _____

Section 3. STATEMENT OF INTENT

The applicant requests a permit to use not more than 500 (☒ gallons per minute or ☐ cubic feet per second) from a ☒ surface water source or ☐ ground water source (check only one) for the purpose(s) of irrigation and cows watering (drinking). ATTACH A "LEGAL"

DESCRIPTION OF THE PLACE OF USE. (See instructions.) NOTE: A tax parcel number or a plat number is not sufficient. See Attached Title Insurance & short Plat Map. Lot 32, Prairie Lane Meadows

Estimate a maximum annual quantity to be used in acre-feet per year: 3 months per year irrigation for crops & year-round cattle watering = 200 acre-feet per year

☐ Check if the water use is proposed for a short-term project. Indicate the period of time that the water will be needed:

From ____/____/____ to ____/____/____

Irrig - during irrig season
stock watering - continuously

Section 4. WATER SOURCE

If SURFACE WATER	If GROUNDWATER
Name the water source and indicate if stream, <u>spring</u> , lake, etc. If unnamed, write "unnamed spring," " <u>unnamed stream</u> ," etc.: <u>unnamed stream & unnamed spring</u>	A permit is desired for _____ well(s).
Number of diversions: <u>2</u>	
Source flows into (name of body of water): <u>Samish River</u>	Size & depth of well(s):

LOCATION

Enter the north-south and east-west distances in feet from the point of diversion or withdrawal to the nearest section corner:

1/4 of	1/4 of	Section	Township	Range(E/W)	County	If location of source is platted, complete below:		
						Lot	Block	Subdivision
5 1/2	Sw 1/4	26+27+36	North	4 EAST	SKagit	32		Prairie Ln Meadows
5 1/2	Sw 1/4	35+36	11	11	SKagit	34		Prairie Ln Meadows

For Ecology Use Date Received: 5-12-98 Priority Date: 5-12-98

SEPA: Exempt/Not Exempt

FERC License # _____

Dept. Of Health # _____

Date Accepted As Complete 5-15-98

By JS

Date Returned _____

By _____ WRIA: 3

Section 5. GENERAL WATER SYSTEM INFORMATION

- A. Name of system, if named: None
- B. Briefly describe your proposed water system. (See instructions.)
Irrigation, Crop using 15HP pump & main line with sprinklers going off it. and cows water for drinking.
- C. Do you already have any water rights or claims associated with this property or system? ☒ YES ☐ NO
PROVIDE DOCUMENTATION. Application by MARY MEINS
Req# 012286 26-36-4 (1940)

Section 6. DOMESTIC / PUBLIC WATER SUPPLY SYSTEM INFORMATION (Completed for all domestic/public supply uses.)

- A. Number of "connections" requested: n/a Type of connection n/a
(Homes, Apartment, Recreational, etc.)
- B. Are you within the area of an approved water system? ☐ YES ☒ NO
If yes, explain why you are unable to connect to the system. Note: Regional water systems are identified by your County Health Department.

Complete C. and D. only if the proposed water system will have fifteen or more connections.

- C. Do you have a current water system plan approved by the Washington State Department of Health? ☐ YES ☐ NO
If yes, when was it approved? n/a Please attach the current approved version of your plan.
- D. Do you have an approved conservation plan? ☐ YES ☐ NO
If yes, when was it approved? n/a Please attach the current approved version of your plan.

Section 7. IRRIGATION/AGRICULTURAL/FARM INFORMATION (Complete for all irrigation and agriculture uses.)

- A. Total number of acres to be irrigated: 105
- B. List total number of acres for other specified agricultural uses:
- | | |
|-----|-------|
| Use | Acres |
| Use | Acres |
| Use | Acres |
- C. Total number of acres to be covered by this application: 105
- D. Family Farm Act (Initiative Measure Number 59, November 3, 1977)
Add up the acreage in which you have a controlling interest, including only:
‡ Acreage irrigated under water rights acquired after December 8, 1977;
‡ Acreage proposed to be irrigated under this application;
‡ Acreage proposed to be irrigated under other pending application(s).
- Is the combined acreage greater than 2000 acres? ☐ YES ☒ NO
 - Do you have a controlling interest in a Family Farm Development Permit? ☐ YES ☐ NO
If yes, enter permit no: _____
- E. Farm uses:
Stockwater - Total # of animals 75 Animal type Beef (If dairy cattle, see below)
Dairy - # Milking _____ # Non-milking _____

Section 8. WATER STORAGE

Will you be using a dam, dike, or other structure to retain or store water?

☐ YES ☒ NO

NOTE: If you will be storing 10 acre-feet or more of water and/or if the water depth will be 10 feet or more at the deepest point, and some portion of the storage will be above grade, you must also apply for a reservoir permit. You can get a reservoir permit application from the Department of Ecology.

Section 9. DRIVING DIRECTIONS

Provide detailed driving instructions to the project site.

Provide detailed driving instructions to the project site.

North on I-5, Pass ~~Burlington~~ Burlington Wash. Take Bow Hill exit, Take Right, go to stop sign. go through to Prairie Road, go about 5 1/2 miles east. Prairie Ln on Right. go to 4530 Prairie Ln. Big Blue + white metal Pole Barn. 4530 Prairie Lane, Sedro-Woolley, WA. 98284

Section 10. REQUIRED MAP

A. Attach a map of the project. **(See instructions.)**

See back page & attached.

Section 11. PROPERTY OWNERSHIP

A. Does the applicant own the land on which the water will be used?

☒ YES ☐ NO

If no, explain the applicant's interest in the place of use and provide the name(s) and address(es) of the owner(s):

B. Does the applicant own the land on which the water source is located?

☐ YES ☐ NO

If no, submit a copy of agreement:

I certify that the information above is true and accurate to the best of my knowledge. I understand that in order to process my application, I grant staff from the Department of Ecology access to the site for inspection and monitoring purposes. Even though I may have been assisted in the preparation of the above application by the employees of the Department of Ecology, all responsibility for the accuracy of the information rests with me.

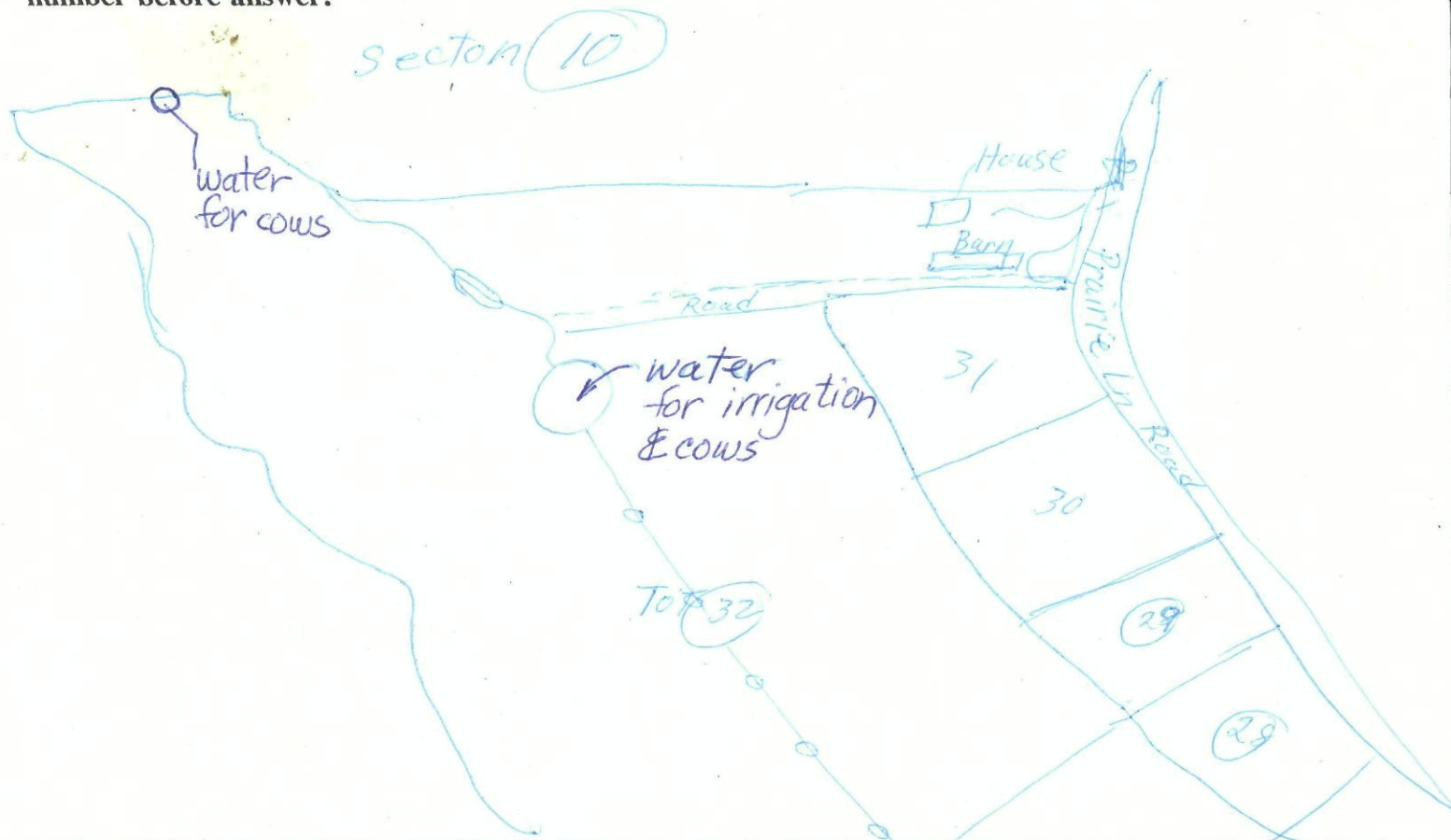
Applicant (or authorized representative)

Date _____

Landowner for place of use (if same as applicant, write "same")

Date _____

Use this page to continue your answers to any questions on the application. Please indicate section number before answer.



We are returning your application for the following reason(s):	
<input type="checkbox"/> Examination fee was not enclosed	APPLICANT PLEASE RETURN TO CASHIER, PO BOX 5128, LACEY, WA 98509-5128
<input type="checkbox"/> Section number(s) _____ is/are incomplete	APPLICANT PLEASE RETURN TO THE APPROPRIATE REGIONAL OFFICE
Explanation:	
Please provide the additional information requested above and return your application by _____ (date).	

Ecology staff _____ Date _____

To receive this document in alternative format, contact Lisa Newman at (360) 407-6604 (Voice) or (360) 407-6006 (TDD).

SCHEDULE A

Order No.: 47470

Policy No.: J-401731

Amount of Insurance: \$170,000.00

Premium \$528.00

Date of Policy: December 26, 1995 at 8:00 AM

1. Name of Insured:

JOHN P. SHEA AND JEANNE F. SHEA

2. Title to the estate referred to herein is at Date vested in:

TYMAN FISKE, AS HIS SEPARATE ESTATE

3. The estate or interest in the land described or referred to in Schedule C and which is covered by this policy is:

A Fee Simple

4. The land referred to in this Policy is described on the attached Schedule "C" and made a part hereof.

COPY

SCHEDULE "B"

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of the following matters shown in parts one and two following:

Part One:

- A. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
- B. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
- C. Easements, claims of easement or encumbrances which are not shown by the public records.
- D. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records.
- E. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
- F. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.
- G. Indian tribal codes or regulations, Indian treaty or aboriginal rights, including easements or equitable servitudes.

SCHEDULE "B"

Part Two:

1. Any tax, fee, assessments or charges as may be levied by Prairie Lane Association .
2. SAID LANDS HAVE BEEN RECLASSIFIED FOR TAX PURPOSES, NOTICE OF WHICH IS GIVEN BY INSTRUMENT AS HEREIN SET FORTH. THEY WILL BE SUBJECT TO FURTHER TAXATION AND INTEREST THEREUPON AS PROVIDED BY CHAPTER 84.34 and 84 R.C.W. UPON WITHDRAWAL FROM SUCH CLASSIFICATION OR CHANGE IN USE.

Reclassified As:	Farm and Agricultural
Recorded:	FEBRUARY 9, 1976
Auditor's No.:	829812
Application No.:	57

3. CONTRACT, INCLUDING THE TERMS AND CONDITIONS THEREOF:

Seller:	Tyman Fiske, as his separate estate
Purchaser:	John P. Shea and Jeanne F. Shea, husband and wife
Dated:	DECEMBER 20, 1995
Recorded:	DECEMBER 22, 1995
Auditor's No.:	9512220131
Excise Tax Paid:	DECEMBER 22, 1995
Receipt No.:	11303
Amount E.T. Paid:	\$2,601.00

4. For easements, restrictions or other exceptions, see Schedule "B-1", attached hereto.

NOTE #1: General taxes for the year 1995 in the amount of \$59.56 have been paid in full for Tax Account No. 360426-2-006-3404 (P50067).

General taxes for the year 1995 in the amount of \$357.35 have been paid in full for Tax Account No. 360426-2-006-3206 (P50065).

NOTE: For your information, where reference is made in this policy to the attachment of documents affecting the title herein, and copies have been supplied in connection with PRELIMINARY COMMITMENT FOR TITLE INSURANCE, by which this policy has been written, no further copies will be supplied and reference to said PRELIMINARY COMMITMENT FOR TITLE INSURANCE is hereby made for full particulars.

SCHEDULE "B"

NOTE: Indorsement No.(s) 126.1 is/are hereto attached.

SCHEDULE "B-1"

EXCEPTIONS:

A. AN EASEMENT AFFECTING THE PORTION OF SAID PREMISES AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES.

For: Ingress, egress and utilities
In Favor Of: Donivan James and Chester James, Trustees
for Heirs of Ralph James Estate
Recorded: June 7, 1978
Auditor's No.: 881008
Affects: A 60 foot strip across Tract 7 and a
portion of Tract 8

B. COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENT CONTAINED IN DECLARATION OF PROTECTIVE RESTRICTIONS AND EASEMENT, AS HERETO ATTACHED.

Declaration Dated: December 28, 1978
Recorded: January 4, 1979
Auditor's No.: 894198
Executed By: Daryl F. Deede and Barbara A. Deede

C. COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENT CONTAINED IN DECLARATION OF PROTECTIVE RESTRICTIONS AND EASEMENT, AS HERETO ATTACHED.

Declaration Dated: January 10, 1979
Recorded: January 15, 1979
Auditor's No.: 894740
Executed By: Daryl F. Deede and Barbara A. Deede,
husband and wife

D. The face of the Short Plat sets forth the following:

- "1. Water - Water of sufficient quantity and/or quality for normal domestic purposes is not provided at the time of filing the Plat, the buyer should inquire and investigate as to availability of said water.
2. Sewer - Individual septic tanks;
3. Zoning - Residential;
4. Road Maintenance - Road maintenance shall be the responsibility of the lot owners and shall be in direct relationship to usage of said roads."

SCHEDULE "B-1"

EXCEPTIONS:

E. AN EASEMENT AFFECTING THE PORTION OF SAID PREMISES AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES, DELINEATED ON THE FACE OF SAID PLAT AND AS SET FORTH IN "DECLARATION OF EASEMENTS".

For:

Affects:

Road and utilities

The South 30 feet of Tract 17; the Northerly 30 feet of Tract 23; the Northeasterly 30 feet of Tracts 25 and 27; the Easterly 30 feet of Tract 31; the East 30 feet of Tract 33; the Southeasterly 30 feet of Tract 2; the Northwesternly 30 feet of Tracts 3, 4, 5 & 6; the South 30 feet of Tract 18; the Northerly 30 feet of Tracts 22 & 35; the Southwesterly 30 feet of Tract 9; the Westerly 30 feet of Tracts 7 & 8; a portion of the South 30 feet of Tract 19; and a cul-de-sac with an undisclosed radius; the Southerly 30 feet of Tract 16 and the Southwesterly 30 feet of Tracts 10, 11, 12, 13, 14 & 15

January 10, 1979
January 15, 1979
894739

Declaration Dated:

Recorded:

Auditor's No.:

F. Utility easement set forth on the face of the Short Plat, as follows:

"A non-exclusive easement is hereby reserved for utilities and granted to Puget Sound Power & Light Company, Continental Telephone Company, Nationwide T.V. Cable Company, and their respective successors and assigns under and upon the exterior seven (7) feet parallel and adjacent to the street frontage of all lots in which to install, lay, construct, renew, operate and maintain underground conduits, cable, and wires with necessary facilities and other equipment for the purpose of serving the subdivision and other property with electric, telephone and T.V. cable service, together with the right to enter upon the lots at all times for the purposes stated."

SCHEDULE "B-1"

EXCEPTIONS:

- G. EASEMENT AGREEMENT AND CONDITIONS CONTAINED THEREIN AS CREATED OR DISCLOSED IN REAL ESTATE CONTRACT RECORDED OCTOBER 12, 1979, UNDER AUDITOR'S FILE NO. 7910120024. AFFECTING PORTIONS OF TRACTS 28, 32 AND 34.
- H. EASEMENT, INCLUDING THE TERMS AND CONDITIONS THEREOF:
- | | |
|----------------|--|
| Grantee: | Dillon Johnson and Joan Johnson,
husband and wife |
| Dated: | JULY 26, 1988 |
| Recorded: | AUGUST 12, 1988 |
| Auditor's No.: | 8808120024 |
| Purpose: | Ingress, egress and utilities |
| Area Affected: | An area 30' x 30' in the extreme
Northeast corner of Tract 34 |
- I. EASEMENT AS DELINEATED AND/OR DEDICATED ON THE FACE OF THE SHORT PLAT:
- | | |
|----------|-------------------------------|
| Purpose: | Drainage |
| Affects: | 10' and 20' strip in Tract 32 |
- J. EASEMENT AS DELINEATED AND/OR DEDICATED ON THE FACE OF THE SHORT PLAT:
- | | |
|----------|---------------------|
| Purpose: | Walking |
| Affects: | 20 feet along River |
- K. EASEMENT AS DELINEATED AND/OR DEDICATED ON THE FACE OF THE SHORT PLAT:
- | | |
|----------|------------------------------|
| Purpose: | Picnic Area |
| Affects: | Southerly corner of Tract 34 |
- L. EASEMENT AS DELINEATED AND/OR DEDICATED ON THE FACE OF THE SHORT PLAT:
- | | |
|----------|------------------------------------|
| Purpose: | Drainage and Access |
| Affects: | North 30' of a portion of Tract 32 |

SCHEDULE "B-1"

EXCEPTIONS:

- M. EASEMENT AS DELINEATED AND/OR DEDICATED ON THE FACE OF THE SHORT PLAT:

Purpose: Undisclosed
Affects: Undisclosed width along Southeast line of Tract 34

- N. Mislocated fence line along Southeast line of Tract 34.
- O. Any question that may arise due to shifting or changing in course of Samish River.
- P. Right of the general public to the unrestricted use of all the waters of a navigable body of water not only for the primary purposes of navigation, but also for corollary purposes, including (but not limited to) fishing, boating, bathing, swimming, water skiing and other related recreational purposes, as those waters may affect the tidelands, shorelands, or adjoining uplands, and whether the level of the water has been raised naturally or artificially to a maintained or fluctuating level, all as further defined by the decisional law of this state. (Affects all of the premises subject to such submergence.)

SCHEDULE "C"

The land referred to herein is situated in the County of SKAGIT, State of Washington, and is described as follows:

Tracts 32 and 34 of that certain 5 Acre Parcel Subdivision No. 132-78, entitled "PRAIRIE LANE MEADOWS", approved December 26, 1978, and recorded December 27, 1978, in Volume 3 of Short Plats, Pages 52 through 56, inclusive, under Auditor's File No. 893745, records of Skagit County, Washington, being a portion of Section 26, 27, 35 and 36, Township 36 North, Range 4 East, W.M.

TOGETHER WITH non-exclusive easements for road and utility purposes over and across a strip of land 60 feet in width as delineated on the face of the above referred to subdivision, and as established by Declaration of Easement dated January 10, 1979, and recorded January 15, 1979, under Auditor's File No. 894739.

ENDORSEMENT

Attached to Policy No. J-401731
ORDER NO. 47470

Issued by

First American Title Insurance Company

1. This endorsement shall be effective only if at Date of Policy there is located on the land described in the policy a one-to-four family residential structure, in which the insured owner resides, either at Date of Policy or within one year of Date of Policy, as the insured owner's principal residence. For the purpose of this endorsement the term "residential structure" is defined as the principal dwelling structure located on the land, together with a garage or carport used for storage of noncommercial vehicles. The term "residential structure" shall not include detached outbuildings (other than a garage or carport as defined herein), driveways, walkways, boat ramps, docks, recreational facilities of any kind, subsurface lines, pipes, tanks, septic systems and/or drainfields, plantings of any nature, perimeter fences or perimeter walls, or any other improvements which are not an integral part of the residential structure.
2. The Company hereby insures the insured owner against loss or damage which the insured owner shall sustain by reason of:
 - a. the existence at Date of Policy of any unrecorded statutory liens for labor or materials attaching to the estate or interest arising out of any work of improvement on the land in progress or completed at the Date of Policy, except those liens arising out of a work of improvement for which the insured has agreed to be responsible.
 - b. the removal of the residential structure or interference with the use thereof for ordinary residential purposes as the result of a final Court Order or Judgment, based upon the existence at the Date of the Policy of:
 - (1) any encroachment of the residential structure or any part thereof onto adjoining lands, or onto any easement shown as a special exception in Schedule B of the Policy, or onto any unrecorded subsurface easement;
 - (2) any violation on the land of enforceable covenants, conditions or restrictions, provided that this coverage shall not refer to or include the terms, covenants and conditions contained in any lease, sub-lease or contract of sale referred to in this Policy;
 - (3) any violation of applicable zoning ordinances to the extent that such

ordinances regulate (a) area, width or depth of the land as a building site for the residential structure; (b) floor space area of the residential structure; (c) set back of the residential structure from the property lines of the land; or (d) height of the residential structure.

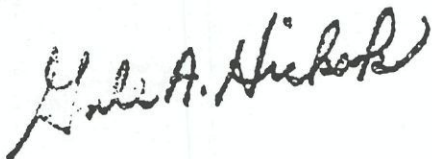
- c. damage to the residential structure resulting from the exercise of any right to use the surface of the land for the extraction or development of the minerals shown as an exception in Schedule B, or excepted from the description of the land.

For the purposes of this endorsement, the words "covenants," "conditions" or "restrictions" shall not be deemed to refer to or include any covenants, conditions or restrictions relating to environmental protection, except to the extent that a notice or violation or alleged violation affecting the land has been recorded in the public records at Date of Policy and is not excepted in Schedule B.

This endorsement is made a part of the policy and is subject to all of the terms and provisions thereof and of any prior endorsements thereto. Except to the extent expressly stated, it neither modifies any of the terms and provisions of the policy and any prior endorsements, nor does it extend the effective date of the policy and any prior endorsements, nor does it increase the face amount thereof.

First American Title Insurance Company

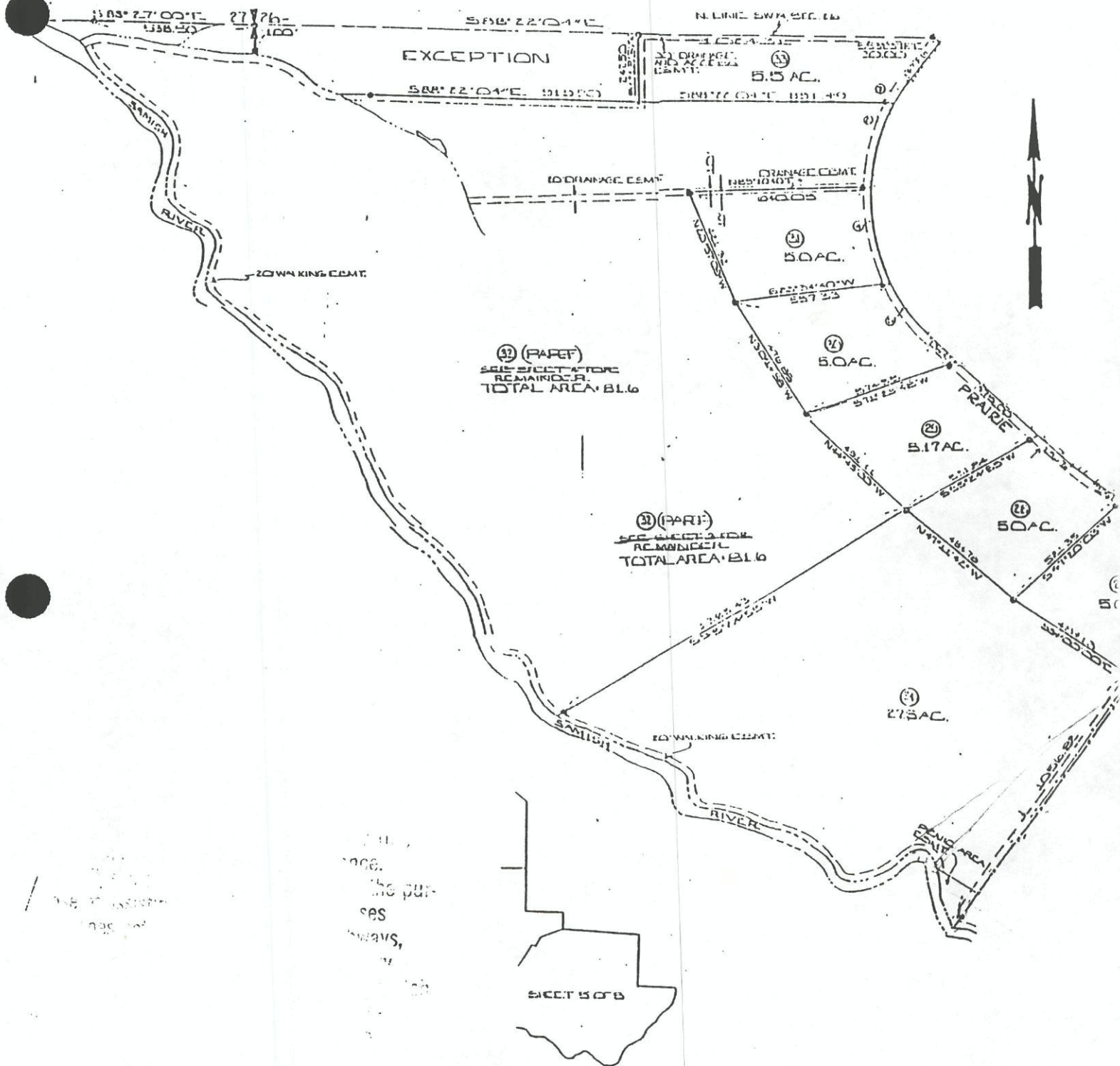
BY  President

BY  Authorized Signature





ORDER NUMBER 47470



1903

146

R4E

26

T722 NHEL
108.3
WP2:1990-2001
SL1:1991-1997

W

103.1

PC

HEMU

SANB

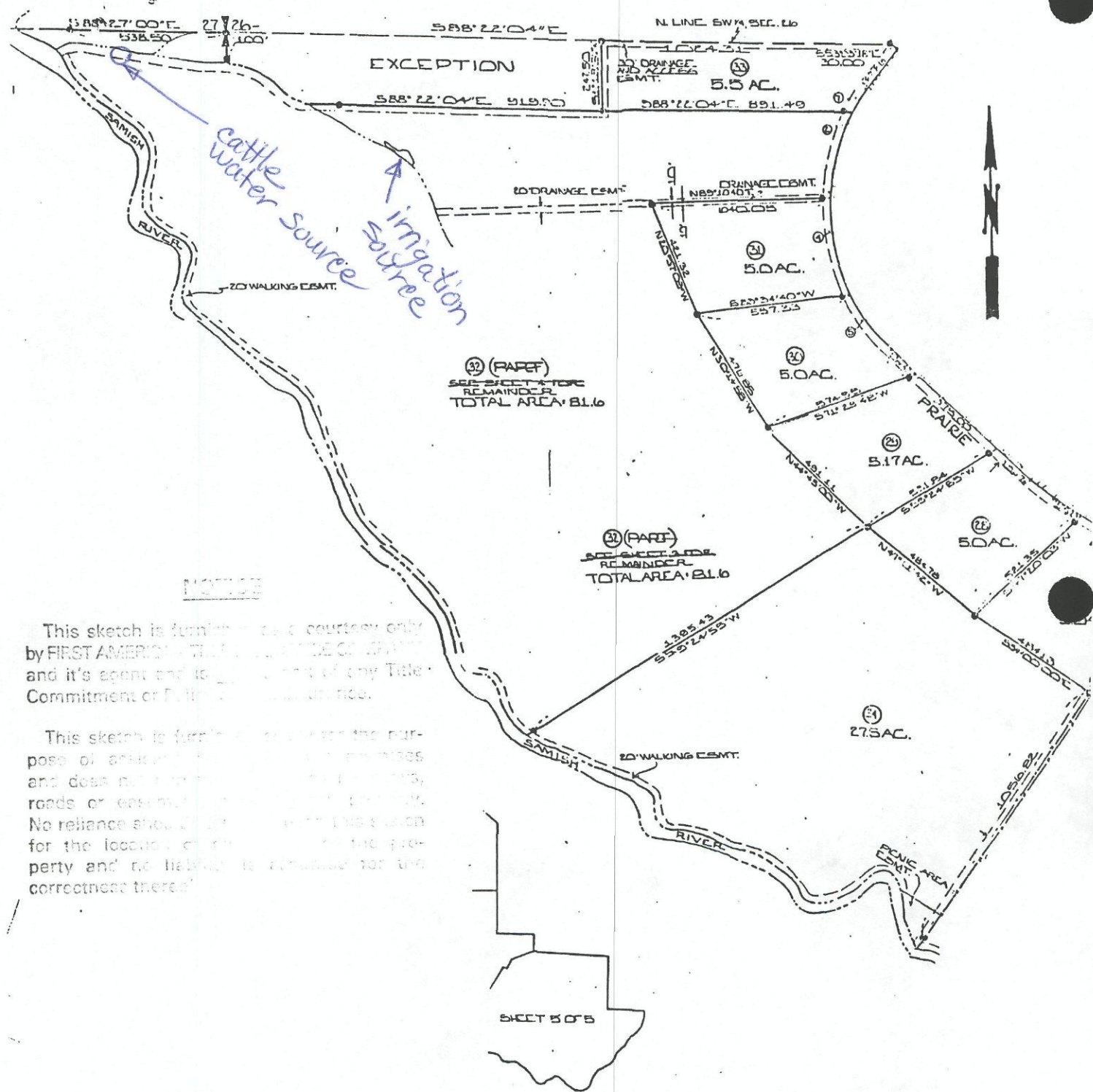
PRAIRIE

LANE

RIVER

T18

T1948



NOTICE

This sketch is furnished for your courtesy only by FIRST AMERICAN TITLE & TRUST COMPANY and it's agent and is not a part of any Title Commitment or Policy of Insurance.

This sketch is furnished for your use for the purpose of showing the location of the property and does not constitute a warranty of the roads or easements shown. No reliance should be placed on this sketch for the location of the property and no liability is assumed for the correctness thereof.

